CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JUNE 2, 2009

INVOCATION:
Rev. Greg Burtnett of Grace Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Patino led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Acting Community Development Director Woods, Police Chief Macagni, Fire Chief Ortiz, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Snodgrass, Director of Recreation and Parks Posada, Community Programs Manager Coelho-Hudson, Grants Specialist Alarcon, and Chief Deputy City Clerk Perez.

PROCLAMATION – LAW ENFORCEMENT TORCH RUN DAY
Councilmember Cordero read a proclamation declaring June 9, 2009, as "Special Olympics Southern California Law Enforcement Torch Run Day" in the City of Santa Maria and urging the community to recognize and support the officers of the Santa Maria Police Department for their efforts in support of the Special Olympics athletes in the community. The proclamation was accepted by Police Sergeant Howard Coolidge.

PUBLIC COMMENT
Paula James stated she could not believe the audacity of the PUEBLE group standing before the City Council and accusing the Police Department of breaking the law. The accusations against the Police Department were nothing more then an ACLU tactic. The Police Department had the right and obligation to the public to impound the cars of unlicensed/uninsured drivers. A March 22, 2005, Supreme Court decision gave local law enforcement officers the right to ask about immigration status. Sobriety checkpoints were essential for the safety of everyone in the community. If PUEBLO wanted to help the illegal immigrants, they would be telling them the truth. They need to go back to their home country and get right with the law. PUEBLO held a rally on June 1, 2009, to demand amnesty and to stop ICE raids. There have been no ICE raids, and there have only been seven amnesties since 1986. The federal, state and local governments have failed the American people. She also read a statement from an anonymous person.

Greg Greeley submitted several pictures of the Cole property. He said the property was annexed into the City almost five years ago. Since it was annexed, the Coles have allowed various businesses to move onto their property without any City permits or licenses. He said the Police Department's response time had been great when he called them, but there wasn't much they could do. He asked the Council to go out there and see what a mess it was.

Mark Rademaker spoke against Planned Parenthood and the murdering of innocent babies.

Mickey Freeman stated she believed PUEBLO was misleading the illegal immigrants. She hoped the H2A Ag Workers Program would be instituted soon which would help the farm workers.

Ernest Armenta stated he hoped these two groups would come together and get along. He said the City was asking City employees for concessions to help balance the budget. If the City was going to do that, it had to be across the board with the Police Department, Fire Department, City Manager and Department Heads giving concessions as well. He said the City also needed to review all subcontractors and City-funded programs.

Michael Rivera stated he came in support of the Minutemen. He said the cracks in the City's foundation were getting severe. The actions of PUEBLO and groups like MAPA were racists. There were great risks with groups like PUEBLO trying to get the rules changed.

Mary Jacka presented some facts provided by the Immigration Policy Center on immigration reform and economic recovery.

CONSENT CALENDAR
Councilmember Orach requested Item 3F be pulled for comment.

Item 3F – Call for Bids for Street Maintenance (Chip Seal) 2010.
Councilmember Orach said for years the City has had this program, and that was how the City had been able to protect, maintain and preserve its streets. It may be inconvenient for the residents, but it helped preserve the life of the streets.

Consent Calendar Items A through H were approved on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarias, and Mayor Lavagnino
NOES: None

ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 19, 2009, were approved as submitted.

C. WARRANTS
Warrant Nos. 150800 to 151120 totaling $19,082,827.00 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 143766, 150771, and 150905 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. CALL FOR BIDS
Council gave approval to call for bids on the plans and specifications for 2009 Waterline & Sewerline Replacement, Bid No. 2009/08.

F. CALL FOR BIDS
Council gave approval to call for bids on the plans and specifications for Street Maintenance (Chip Seal) 2010, Bid No. 2010/01.

G. LANDSCAPE MAINTENANCE DISTRICTS
Resolutions No. 2009-74 and 2009-75 were adopted approving 2009-10 Engineer's Reports for the City's four Landscape Maintenance Districts and 18 Special Benefit Zones and stating the Council's intent to levy and collect assessments and setting a date for a public hearing to be held on August 4, 2009.

Resolution No. 2009-74 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR ASSESSMENT PROCEEDINGS.

Resolution No. 2009-75 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS AND THE EIGHTEEN SPECIAL BENEFIT ZONES.

H. RECYCLING PARK AGREEMENT
Resolution No. 2009-76 was adopted approving an agreement with Santa Maria Area Recycling Terminal (SMART), LLC to provide operational management of a Recycling Park at the Landfill.

Resolution No. 2009-76 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF UTILITIES TO ENTER INTO AN AGREEMENT FOR OPERATIONS MANAGEMENT OF THE RECYCLING PARK FOR THE SANTA MARIA REGIONAL LANDFILL.

RESOLUTION APPROVING THE GROWTH MITIGATION CAPITAL IMPROVEMENT PLAN, AND AN ORDINANCE REVISING/SETTING THE 2009 GROWTH MITIGATION FEE PROGRAM.
Director of Public Works/City Engineer Whitehead gave the staff report. The 2009 Growth Mitigation Fee Program Update includes revisions recommended to the 2007 Growth Mitigation Fee Program, including a Capital Improvement Plan (CIP) and appropriate fees. The CIP presents the project lists, fees and other information in the format required by law. The proposed ordinance recommends fee reductions (excepting water and wastewater). The staff recommendation is a result of extensive participation and cooperation from the public and development community. The Capital Improvement Plan includes the following proposed changes to the program: an update of all construction project costs; an updated City project list to show completed projects; water and wastewater fees adjusted to reflect updated costs; and reduced Growth Mitigation fees. Revenues from these fees may only be expended for capital improvements and land acquisitions necessary to mitigate the impacts created by new development. The law prohibits expenditures for ongoing operations or maintenance activities.

The City Council adopted the first Capital Improvement Plan and implementing ordinances for the Growth Mitigation Fee Program on July 6, 1993. The law requires that the City review the Growth Mitigation Fee Program every two years. The City has performed this review as required.

Information considered in this fee program review included: general inflation of construction costs; new revenues from Measure A; project-specific cost estimate review of CIP construction projects; removal of "E" Street from the CIP; and a new appraisal of the cost to acquire residential land for park purposes.

In preparation for this update, staff organized four public workshops (February 25, March 11, March 25, and April 15, 2009) to gain input for the Growth Mitigation Fee Program Update. Staff invited individuals who had participated in the 2007 fee update. Attendees included representatives of developers, consulting engineers, contractors, and planners who requested inclusion in the process. As in past years, the entire program was reviewed. Based on the revised Capital Improvement Plan, and after significant community input, staff recommends that the City Council implement changes to the Growth Mitigation Fee Program.

Councilmember Zacarias asked about the recommendation from the developers regarding using some of the stimulus money for infrastructure projects resulting in a decrease in the share the building community was assessed.

Director Whitehead stated as mentioned in the staff report, staff would recommend to the City Council an interim update to the fee program if the total of the funds exceeded $10 million. Staff was still in the process of identifying stimulus funding the City may be getting. He was not able to commit to the development community that the City would be able to assign those funds to specific Growth Mitigation Fee Program projects. One of the requirements for the stimulus funding was that the projects be ready to go. Many of the projects on the CIP list were not ready to go. They were future projects.

Councilmember Zacarias stated she thought the stimulus dollars were not allowed to supplant any other revenue source, which would mean that the City could not use stimulus funding to reduce developer fees. She was not sure she could support the recommendation because, in her opinion, the idea of stimulus dollars was not to pay for something that would otherwise be paid for.

Councilmember Orach stated some of the projects may be ready to go, but the City did not have the Growth Mitigation Fees to fully fund the project. He said the stimulus money might allow the City to move these projects forward by augmenting the Growth Mitigation Fees.

Councilmember Patino stated the City of Santa Maria has always had projects ready to go but didn't have the money to fund the projects. With the stimulus money, there would be criteria that might delay the project, such as requiring an EIR.

City Manager Ness stated that any recommendation coming from City staff to earmark any stimulus money toward capital improvement projects would require City Council approval. Director Whitehead indicated that unless that reaches the $10 million threshold, it was unlikely staff would come back with that recommendation.

Councilmember Zacarias asked about the fees for additions and renovations for single family residences and if they were being reduced.

Director Whitehead stated there had not been sufficient building activity recently to adequately evaluate that program.

Mayor Lavagnino opened the public hearing.

Gordon Gill stated he was in support of the Growth Mitigation Fee program. He has worked with staff for the past 16 years regarding that program. There have been significant projects completed during that time with these funds. He talked about the need to work with the Airport District on a long-term contract for fire service. Then the Airport fire station could serve the southwest section of the community replacing the one proposed to be built at a cost of $4.2 million He thanked staff for working with the development community and business community.

Ernest Armenta stated he was opposed to decreasing fees. Developers made a killing over the last couple of years selling houses. If developers had their way, they would be getting a good deal. He said the developers have the funds to pay the fees.

Laurie Tamura, Urban Planning Concepts, stated she also had worked with staff for the last 16 years on the Growth Mitigation Fee Program. She was in support of the reduced fees. During the meetings there was discussion about a 50% reduction. It was to give a symbolic message to the rest of the communities that Santa Maria wanted to get building going again. There were still two outstanding items. One was the State Water Fee which was $400 more per home. There was also discussion about the commercial vacancies in the City. To refill those vacancies, the City might want to look at not charging any fees to infill those properties. They would continue to work with staff on

that. It was a long process, and a lot of good issues were brought up. She thanked staff who helped with the project.

Jerry Bunin, Home Builders Association, distributed a study the Association did on developer fees paid in San Luis Obispo and Santa Barbara Counties over a five-year period. The total was about $250 million. He said the development community has always appreciated working with Santa Maria City staff. He used Santa Maria as a model. The discussions were thorough and honest. They had time to ask questions and get answers. The proposal was a step in the right direction on the road to actually building again. The Association supported the recommendation.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Patino stated it was a very comprehensive report and easy to understand. This was an example of working together with the development community. The fees for a single family home were $37,809 on top of the price of a home. One thing that was very important was extending all building permits and applications for an additional five years without paying any additional fees. That was important to the builders. She wished all communities had that. She also thought it was important that the fees did not need to be paid until the Certificate of Occupancy was issued. She thanked the building community and staff. She asked if the sprinkler requirement was in effect yet.

Director Whitehead stated he confirmed with the Fire Chief that it had not been implemented yet by the State.

Councilmember Orach stated the construction industry was an economic engine for the community, and allowing them to get jump started again would help the community. The big thing was that providing jobs provided taxes that came back to the City.

Councilmember Cordero stated this was the first time he had read this document. He appreciated the efforts of staff to make it understandable to the lay person.

Resolution No. 2009-77 was adopted approving the Growth Mitigation Capital Improvement Plan on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-77 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN.

Ordinance No. 2009-12 revising the 2009 Growth Mitigation Fee Program was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Patino, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2009-12 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SETTING/REVISING THE 2009 GROWTH MITIGATION FEES.

SUBSTANTIAL AMENDMENT TO THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2008-09.

Community Programs Manager Coelho-Hudson gave the staff report. The City Council is requested to consider a substantial amendment to the Annual Action Plan for Fiscal Year 2008-09 to apply for federal funding in the amount of $341,281 under the Community Development Block Grant – Recovery (CDBG-R) Program. This program has been funded under the American Recovery and Reinvestment Act of 2009. $1 billion of the Recovery Act was appropriated to fund the Community Development Block Grant – Recovery (CDBG-R) program. While the full range of eligible activities under the regular CDBG program is allowed for use of CDBG-R funding, the U.S. Department of Housing and Urban Development (HUD) strongly recommends the CDBG-R funds be used for hard development costs associated with infrastructure activities. Generally speaking, the same regulations and activities under the regular CDBG program will apply to the CDBG-R program. HUD recommends that the CDBG-R funds be used for hard development costs association with capital infrastructure activities. Also, priority must be given to projects that are "shovel-ready" and can be under contract within 120 days from the date of HUD's grant agreement. 70% of the funds must be used for activities that benefit low and moderate income persons. Due to the expedited timeline and complex regulations governing the program, staff recommends that the entire allocation of CDBG-R funds be used for a City of Santa Maria capital project. After analyzing the proposed capital projects in the City's 2008-10 Budget, it was determined that the northwest fire station project would be the best fit for the funding. At the last City Council meeting, the Mayor proposed that this funding along with other funding sources be used for construction of the northwest fire station. Based on the 2000 Census, this area serves over 24,373 residents, 65% of which are low and moderate income. Also, this area has the greatest number of calls for service.

Fire Chief Ortiz stated the Fire Department's Strategic Plan had been in place for over 12 years. The Capital Improvement Plan called for two north fire stations. The fire station would serve the whole north part of Santa Maria, not just the northwest section. The future northeast fire station would also serve the north section of town. The area north of Main Street was the most populated portion of the City and the area with the most call volume. By moving that station from its current location on College and Donovan, it would improve the system in the north part of the City. The City already owned property for the future northeast fire station. When funding became available to build and staff it, it would be built. The northwest facility on Preisker Lane was ready to go, and staffing would simply be moved to make that happen.

Mayor Lavagnino opened the public hearing.

Ernest Armenta stated there was not one fire station on the east side of Broadway from Betteravia Road to the Levee. He asked if the City owned the property for a fire station on the northeast side of the City and what obstacles there were to building a fire station there.

Fire Chief Ortiz stated the northwest fire station was ready to go. The site was better prepared; the engineering was better prepared. There is a higher call volume on the northwest side. The future northeast facility would meet the future needs of that portion of the City. The City does not have the $1 million a year to staff the station and run it, nor were the funds available to build two stations.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Cordero asked if there had been any success in getting the ambulance company to move into the existing fire station building.

Chief Ortiz stated they have had discussions with American Medical Response (AMR) about the City's plans for the north side of town. The City was a subcontractor for AMR so it would be to their benefit to work with the City on where their ambulances were located and where the City staged its fire engines. They were open to helping the City out in the interim period while the City moved its facilities.

Councilmember Cordero stated the majority of the calls for service were medically related and asked if the response time would be essentially the same.

Chief Ortiz stated, within reason, that would be correct depending on the call concentration at any one time. The greatest volume of calls happened in the northwest section of the City as compared to the far northeast section. So it made sense to move forward with the northwest fire station at this time.

Councilmember Cordero stated it may take longer for fire personnel to get to Suey and Donovan from its northwest location than from the corner of College and Donovan. However, emergency services would still have the potential of arriving there at basically the same time if ambulances were stationed at College and Donovan. The Fire Department had taken great care to ensure that the northeast section of the City would continue to have adequate coverage.

Councilmember Orach stated Fire Station No. 3 was an old house and was totally inadequate. The new fire station would have the capacity to hold more equipment and provide better service to the entire north side.

City Manager Ness stated it was not staff's intent to have a long discussion about the fire station at this time, but rather to approve a substantial amendment to the Action Plan. The northwest fire station would be on the agenda as a policy issue as part of the mid-cycle budget review at the next Council meeting.

Councilmember Patino complimented staff on being able to respond so quickly to this process. She asked for a list of projects Engineering was working on to help get people back to work.

Resolution No. 2009-78 was adopted approving the substantial amendment to the Action Plan for Fiscal Year 2008-09 on motion by Councilmember Orach, seconded by Councilmember Zacarias, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarias, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-78 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SUBSTANTIAL AMENDMENT TO THE ACTION PLAN FOR FISCAL YEAR 2008-09 TO APPLY FOR FEDERAL GRANT FUNDS IN THE AMOUNT OF $341,281 UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY (CDBG-R) PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF SANTA MARIA FOR THE APPLICATION OF FUNDS.

NEIGHBORHOOD STABILIZATION PROGRAM.

Community Programs Manager Coelho-Hudson gave the staff report. The City Council is requested to consider submittal of an application to the State of California for federal funding in the amount of $1,258,602 under the Neighborhood Stabilization Program (NSP) authorized by the Housing and Economic Recovery Act (HERA) of 2008. She highlighted the criteria and requirements for the program and the eligible activities for use of the funding. Based on discussions with potential partners, review of current market conditions and analysis of program constraints, staff recommends that the application focus on the following activities: purchase and/or rehabilitation of homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties with a proposed funding amount of $717,403 or 60 percent of program funds; financing mechanisms, such as soft seconds, loan loss revenues, shared-equity loans, down payment assistance, and mortgage write-downs with a proposed funding amount of $478,269 or 40 percent of the program funds; and general administration with a proposed funding amount of $62,930 or 5 percent of the total grant amount. As part of the application, the City must identify

potential collaborative partners or subgrantees that may be involved in the implementation of NSP activities. Additionally, the areas of greatest need would be identified with special focus on low and moderate income neighborhoods experiencing blight and instability.

Councilmember Orach stated the $717,403 would not purchase a lot of homes. He asked who would be responsible for the accountability of the program, the City or the subgrantees.

Community Programs Manager Coelho-Hudson explained that they were hoping to leverage additional funding through the partnerships. There were accountability standards that had to be followed, and the City would have to monitor that.

Councilmember Zacarias stated she understood staff's concerns, but she knew many of the potential partners have been dealing with complex regulations and have been able to manage them well. She thanked staff for being able to respond to this funding opportunity.

Councilmember Patino asked if some of the homes in the area of greatest need would have to be demolished and reconstructed.

Community Programs Manager Coelho-Hudson stated that was possible. That would not be known until the properties were identified. Some of the organizations, like Habitat for Humanity, had done that type of project before.

Councilmember Cordero asked if the people who moved into these homes and benefited from the funding had any future obligations.

Community Programs Manager Coelho-Hudson stated there were long-term affordability covenants recorded on the property and resale restrictions. They would have to agree to the recording of the covenants on the property.

Mayor Lavagnino opened the public hearing.

Mary Jacka stated she thought this was a great opportunity to address a need in the community. It would create some fantastic opportunities for many of the people who have come before the Council many times asking for just this type of program.

Dawn Dickason stated she was a widow with four children, three in college and an eight-year-old son. She was on disability as a result of a serious accident. This would be an answer to her prayers. She would like to have a home of their own for her children. It was the American dream.

Hearing further requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2009-79 was adopted approving the application of Neighborhood Stabilization Program funds on motion by Councilmember Zacarias, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarias, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-79 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE STATE OF CALIFORNIA NEIGHBORHOOD STABILIZATION PROGRAM (NSP).

WEST MCCOY LANE TRAFFIC MANAGEMENT UPDATE.
Director of Public Works/City Engineer Whitehead gave the staff report. On February 3, 2009, the City Council directed staff to reconfigure the West McCoy Lane median to allow left turns into the Kohl's Shopping Center. In addition, the City Council directed staff to work with Caltrans to address any modifications needed to the traffic signal at Broadway (SR 135) and McCoy Lane. The reconfiguration of the West McCoy Lane median provided improvements to allow left-turn movements for westbound traffic into and out of the Kohl's Shopping Center. In addition, improvements also included striping reconfigurations to accommodate dual left turn lanes from McCoy Lane eastbound to Broadway northbound. During the past four months since the reconfiguration, there have been no recorded accidents on West McCoy Lane between Broadway and Professional Parkway, and no recorded accidents at the signalized intersection of McCoy Lane/Broadway. Traffic data also indicates that there have been a decrease in the number of U-turns at the intersection of McCoy Lane and Professional Parkway. In addition, field observations confirm that motorists have integrated the U-turn at the intersection of St. Andrews Way and Broadway into their driving pattern as an alternate route when departing the shopping center. There have been no recorded accidents at this intersection since the establishment of the recently permitted U-turn movement. The Public Works Department continues to work with Caltrans to identify further options to improve accessibility to the Kohl's shopping center.

Councilmember Patino stated that the bots dots on Broadway did not lead people to turn left from the second left-turn lane onto Broadway from McCoy Lane. It was confusing, and people were still trying to go straight on McCoy. At the St. Andrews Way and Broadway intersection, people were now making U turns, and it is confusing for people turning right off of Santa Maria Way.

Director Whitehead replied staff had identified that as one of the things Caltrans needed to resolve. Caltrans' Traffic Engineers said they would look at it and study it.

Councilmember Cordero stated Santa Maria Way was a City street that emptied into a State Highway. He asked if the City would have to get permission from Caltrans to put a "no right-turn on red" sign for traffic on Santa Maria Way.

Director Whitehead explained that the intersection was operated by Caltrans so their permission would be required.

On motion by Councilmember Orach, seconded by Councilmember Cordero, and carried unanimously, staff was directed to continue monitoring the safety and operational efficiency of the intersection of West McCoy Lane and the Kohl's shopping center driveway entrances for the next twelve months and to continue to work with Caltrans to modify the existing median on Broadway (SR-135) to allow left turns into the Kohl's shopping center for vehicles traveling northbound on Broadway.

CITY MANAGER'S REPORT
City Manager Ness reported on items anticipated for the June 16, 2009, City Council meeting including the Mid-Cycle Budget Review, a public hearing for the Newlove Villas Zone Change, and a tow service agreement with the towing companies.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Orach reported he attended the Memorial Day Service at the Santa Maria Cemetery and the Hispanic Business Committee of the Chamber with Congresswoman Capps as the guest speaker.

Councilmember Zacarías reported that she attended a California State Budget workshop in Sacramento on May 20th; traveled to the east coast for the past weeks for her son's college graduation and, while there, also attended a Memorial Day ceremony in Philadelphia at the Constitution Center.

Mayor Lavagnino reported that he attended the Santa Maria Valley Humane Society Groundbreaking ceremony on May 20th; the SBCAG meeting on May 21st; the West Coast Kustoms Car Show Luncheon Kick-off on May 22nd; toured the local McDonalds

operation on May 26th; attended the Kiwanis Prayer Breakfast; a presentation of a $15,000 check from Verizon to the Central Coast Literacy Council; and the presentation by Lois Capps of the Levee Partnership Agreement and Schedule on May 27th; co-hosted the KSMA radio show and attended the CalEMA Fire Engine presentation to the City on May 29th; read a proclamation for Abel Madrid at the Wal-Mart Heart Program on May 30th, and co-hosted the KSMA radio show on June 2nd.

Councilmember Patino reported she attended the Veteran's luncheon with Bob Hatch as the speaker and the Planning Commission meeting on May 20th; the Strawberry Scholarship luncheon on May 21st; Memorial Day services at the Santa Maria Cemetery; the annual Kiwanis Prayer Breakfast, the Hispanic Business Committee meeting, and the Levee Agreement signing ceremony on May 27th; and a Fighting Back Santa Maria Valley Underage Drinking Task Force meeting on May 28th.

Councilmember Cordero reported he was out of town for several days after the last Council meeting. Since then, he attended the Kiwanis Prayer breakfast on May 27th; an elevator dedication at 2450 Professional Parkway on May 28th; the fire truck dedication and the Santa Maria Police Officers Association and Pioneer High School basketball game on May 29th; the Wal-Mart Heart Program for Abel Madrid on May 30th; a function honoring recently deceased Commander Bill Ryle on May 31st; and a meeting at Righetti High School to have Righetti named as a distinguished high school on June 1st.

CLOSED SESSION
Council adjourned to a Closed Session at 8:50 p.m. to discuss:

CONFERENCE WITH LEGAL COUNSEL - regarding EXISTING LITIGATION pursuant to Subsection (a) of Government Code Section 54956.9 SANTA MARIA VALLEY WATER CONSERVATION DISTRICT v. CITY OF SANTA MARIA.

Following the Closed Session, the following report was given:

Conference with Legal Counsel – Existing Litigation: No reportable action was taken.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 9:11 p.m. in honor of William Ryle, who retired from the Santa Maria Police Department in 1996 after 30 years of service and passed away on May 23, 2009.

APPROVED

June 16, 2009
Date

Patricia A. Ryle
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Patricia A. Ryle
Chief Deputy City Clerk

S. S. Lavagnino
Mayor of the City of Santa Maria